

[SEQ CHAPTER \h \r 1]Indiana and EPA Rule and SIP Call Notes
August 18, 2016

Participants

EPA: Doug Aburano, Gilberto Alvarez, Michelle Becker, Kathleen D'Agostino, Edward Doty, Charles Hatten, Michael Langman, Jennifer Liljegren, Tony Maietta, Chris Panos, Carolyn Persoon, Mary Portanova, Matt Rau, Randall Robinson, Steve Rosenthal, John Summerhays, Eric Svingen

IDEM: Lauren Aguilar, Susan Bem, Jean Boling, Brian Callahan, Scott Deloney, Mark Derf, Gale Ferris, Jack Harmon, Chris Pedersen, Jessica Reiss, Shawn Seals, Doug Wagner, Keelyn Walsh

Updates

SO₂ Implementation and Data Requirements Rule - IDEM is continuing to work with SABIC, Carmeuse, and Isolatak to identify DRR compliance strategies. Control strategy options need to be identified by mid-September in order to get Commissioner Orders (1-to-3) in place, if necessary.

Dearborn County (Lawrenceburg Township) PM_{2.5} - Public comment period ended August 15, 2016. No public comments were received. Redesignation petition and maintenance plan will be sent to EPA for review and approval soon.

Jefferson County (Madison Township) and Clark and Floyd Counties PM_{2.5} - EPA proposed approval of the redesignation petition and maintenance plan as published in the Federal Register on June 23, 2016. Public comment period ended on July 25, 2016. No public comments were received. Final approval of the redesignation petition and maintenance plan should be published in the Federal Register in mid-September.

2012 PM_{2.5} Transport SIP - An analysis is being performed on interstate transport of Indiana's emissions relative to the 2012 PM_{2.5} NAAQS and U.S. EPA's March 2016 "Good Neighbor" Provision projected modeling of 2017 and 2025. This transport analysis is being coordinated via the Lake Michigan Air Director's Consortium (LADCO), with support from member states. The analysis will be a topic of discussion at the September 7 – 8 LADCO meeting in Chicago.

Lead Nonattainment Area - EPA is planning on completing its review of the redesignation petition and maintenance plan within the next few days. Final approval should be published in the Federal Register later this year.

Dearborn County (Lawrenceburg Township) Ozone - EPA is in the process of preparing the proposed approval notice for the redesignation petition and maintenance plan for Lawrenceburg Township (Dearborn County) submitted to EPA for review/approval on February 23, 2016 contingent upon revisions to Indiana's Emission Reporting Rule. The final rule was adopted at the August 10 Indiana Environmental Rules Board meeting and should be effective by December. IDEM will submit the rule amendments to EPA as a revision to Indiana's SIP soon thereafter.

Lake and Porter Counties Ozone (attainment demonstration, 15% plan, 3% contingency plan, NO_x RACT) -

IDEM is in the initial stages of preparing an attainment demonstration and technical support document for Lake and Porter counties. IDEM is in the process of identifying source categories/facilities as part of the NO_x RACT analysis. If a rulemaking is necessary in order to get RACT equivalent NO_x control measures in place, it will be a time consuming process. A modeling analysis for the entire Chicago nonattainment area is being coordinated/conducted by LADCO, with support from each of the affected member states. The analysis will be

a topic of discussion at the September 7 – 8 LADCO meeting in Chicago. EPA mentioned that the states of Ohio and Wisconsin have conducted NOx RACT analyses and these documents may be a good resource/example to take a look at.

2015 Ozone Designations - IDEM is keeping track of 2016 monitoring data. No sites have violated the standard. IDEM will meet the deadline for recommendations in October using as much quality-assured 2016 monitor data as possible.

Morgan County SO₂ Nonattainment Area - Preliminary draft of the redesignation petition and maintenance plan submitted to EPA for review/comment. IDEM asked EPA what the status of the review was/if staff had any questions or concerns. EPA stated that they are in the process of reviewing the draft and will provide any comments/suggested revisions they have soon.

Isolatek DRR Compliance Strategies - IDEM has been unable to identify compliance strategy options for Isolatek that would enable the facility to attain the 2010 primary 1-hour SO₂ standard. IDEM asked EPA for continued assistance in identifying viable compliance strategies. IDEM and EPA will continue to look into this.

Portside CSAPR Applicability Determination - EPA provided additional information on allocation methodology used in the proposed CSAPR Update rule. Additional information on the status of the CSAPR applicability determination for Portside will be provided as it becomes available.

Monitoring – Based on recent discussions with ArcelorMittal, the Burns Harbor Port of Indiana SO₂ monitoring site should be up and running by the January 1, 2017 deadline.

Next Call (date and time)

September 15, 2016, 9 am (Chicago), 10 am (Indianapolis)

Status of Rule SIP Submittals

Ethanol Plant Clarification (11-99)

Submitted: 9/19/11

Staff: Pedersen

Status: 8/18/16: No change since 9/22/11.

9/22/11: Received, but on hold until EPA reconsiders the ethanol source definition policy.

AEP Rockport (12-392)

Submitted: 1/13/15

Staff: Bem, Rau

Status: 8/18/16: Working on Sierra Club comments concerning modeling.

7/21/16: ORC approval is expected next week.

6/16/16: The draft final is with ORC.

5/19/16: Working on responses to comments from Louise Gross.

4/21/16: OGC is reviewing; should be done by mid-May.

3/17/16: Call scheduled to discuss comments.

2/18/16: No change.

1/28/16: Adverse comment received.

1/25/16: Comment period ends soon; no comments so far. Final is drafted.

12/28/15: Proposed rule published.

12/17/15: Signed and sent for publication.

11/23/15: With RA.

10/22/15: In signature chain.

9/17/15: No change since 7/16/15.

7/16/15: At ORC.

6/18/15: Notice drafted; to ORC in next few days.

5/21/15: No change.

4/16/15: Under review.

3/19/15: No change.

2/19/15: No update.

Shipbuilding and Ship Repair Antifoulant Coatings (14-441)

Submitted: 7/17/15

Staff: Bem, Svingen

Jeffboat Commissioners Order (2014-01)

Submitted: 10/23/14

Status: 8/18/16: It is signed and sent for publication to the Federal Register. IDEM will finalize and send withdrawal letter for the Jeffboat Commissioners Order within a week.

7/21/16: ORC approval is expected next week.

6/16/16: With ORC.

5/19/16: It is in the signature chain. There are no issues, but IDEM to verify that Jeffboat is only source affected. Should publish in July. Commissioner's Order to be withdrawn.

4/21/16: Direct final approval being drafted. SIP submittal looks good. Commissioner's Order to be withdrawn when direct final rule publishes.

3/17/16: No change since 11/23/15.

11/23/15: Working on now.

10/22/15: No change since 8/27/15.

8/27/15: EPA to move forward with review of Shipbuilding and Ship Repair Antifoulant Coatings rule that will supersede Jeffboat Commissioners Order (CO). When rule is approved, Jeffboat CO will be withdrawn.

7/16/15: The Shipbuilding rulemaking should be sent this week.

6/18/15: Rule published 6/17/15. SIP submittal soon. TSD to be finished in next two weeks.

5/21/15: No change since 3/19/15.

3/19/15: EPA is holding off on approval, but will continue to review so that shipbuilding rule can be approved at same time.

2/19/15: EPA reviewing credits.

1/15/15: Only issue is question on credits. Susan forwarded question to Jay Koch for response.

12/18/14: No change.

11/24/14: Steve Rosenthal had question and will contact Jay Koch.

Abengoa Commissioner's Order (2015-01)

Submitted: 10/16/15

Staff: Bem, Liljegren

Status: 8/18/16: No changes.

8/12/16: Direct final rule published; effective 10/11/16 unless adverse comment received by 9/12/16.

7/21/16: Should be signed next week. It will be a direct final rule.

6/16/16: Working on legal questions.

5/19/16: No change since 12/17/15.

12/17/15: At ORC.

11/23/15: Assigned to Jennifer Liljegren.

10/22/15: Submittal received.

SO₂ Emission Limits (11-356)

Submitted: 10/2/15

Staff: Bem, Summerhays

Status: 8/18/16: No change since 11/23/15.

11/23/15: Assigned to John Summerhays.

10/22/15: Submittal received. Rule is part of attainment demonstration.

Indiana Rules in Process

Asbestos (09-363)

Staff: Pedersen

Status: 8/18/16: No change since 10/22/15.

10/22/15: Jack Harmon working with program staff on draft rule language.

9/17/15: No change since 11/14/13.

11/14/13: Shadi Khoury resigned; rule will be reassigned.

9/19/13: No change.

8/22/13: Waiting on program staff input.

7/8/13: Rule reassigned to Shadi Khoury.

6/20/13: No change since 6/21/12.

6/21/12: IDEM working on draft.

5/17/12: No change since 9/22/11.

9/22/11: Waiting on legal review.

8/11/11: Preparing for internal meetings.

6/23/11: On hold since 2/24/11, but will start again soon.

1/20/11: Second Notice in review.
 11/18/10: Draft rule language in development since 2/17/10.
 2/17/10: Drafting rule language.
 1/20/10: No change since 11/18/09.
 11/18/09: Manda is waiting on information from IDEM staff.
 6/23/09: First Notice posted 6/3/09.

Stone Crushing SSOA (10-571)

Staff: Harmon

Status: 8/18/16: No change since 10/22/15.
 10/22/15: Jack Harmon working with program staff. Draft will be submitted to EPA for comment.
 9/17/15: No change since 5/21/15.
 5/21/15: Jack Harmon is reviewing information to start rulemaking again.
 4/16/15: No change since 6/19/14.
 6/19/14: Working internally with program staff.
 5/15/14: No change since 12/19/13.
 12/19/13: Susan Bem reviewing.
 11/14/13: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 8/22/13: Draft rule language prepared based on calculations; being revised.
 7/18/13: No change.
 6/20/13: Susann Brown is starting to work on it.
 5/16/13: No change since 3/24/11.
 3/24/11: Working on language.
 2/24/11: No change since 10/21/10.
 10/21/10: Second Notice being drafted.
 9/30/10: First Notice published on 9/15/10.
 8/19/10: First Notice is in review.
 7/22/10: First Notice is being drafted.

Source Specific Operating Agreements (11-315)

Staff: Pedersen

Status: 8/18/16: No change since 2/20/14.
 2/20/14: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 6/20/13: Susann Brown is starting to work on it.
 5/16/13: No change since 6/23/11.
 6/23/11: First Notice published 6/1/11.
 5/26/11: First Notice scheduled for June 2011.

Permit By Rule (11-316)

Staff: Pedersen

Status: 8/18/16: No change since 2/20/14.
 2/20/14: Susann Brown resigned; Chris Pedersen is contact.
 9/19/13: No change.
 6/20/13: Susann Brown is starting to work on it.
 5/16/13: No change since 6/23/11.
 6/23/11: First Notice published 6/1/11.
 5/26/11: First Notice scheduled for June 2011.

Startup, Shutdown, and Malfunctions (15-326)

Staff: Harmon

Status: 8/18/16: Preliminarily adopted 8/10/16; final adoption scheduled for 11/9/16. Will send parallel processing request after final adoption hearing.
 7/21/16: Preliminary adoption scheduled for 8/10/16; final adoption likely to be 11/9/16. SIP Call deadline is 11/22/16, so parallel processing request may be needed. Discuss on next month's call.
 6/16/16: No change.
 5/19/16: Preliminary adoption scheduled for 8/10/16.
 4/21/16: No change.
 3/17/16: Second Notice publishes 3/30/16. EPA will respond on approval of language.
 2/18/16: Jack Harmon provided clarifications to Mary Portanova. Mary said it is ok to proceed. Jack will let Mary know the anticipated status of the rulemaking for November as soon as it can be predicted.
 1/25/16: Second Notice in review. Will send to Mary Portanova after internal review.
 12/17/15: IDEM will send draft rule language to Mary Portanova for review when ready.
 11/23/15: First Notice published on 9/30/15. Drafting Second Notice.

Non-Electric Generating Unit NOx Emissions (15-414)

Staff: Harmon

Status: 8/18/16: Will send draft rule language to Doug Aburano within 2 to 3 weeks for review.
 7/21/16: Draft Second Notice being reviewed by program staff.
 6/16/16: No change.
 4/21/16: Internal meetings; Second Notice being drafted.
 3/17/16: No change since 1/25/16.
 1/25/16: Comments received, drafting Second Notice.
 12/17/15: First Notice published 12/9/15. Copy will be sent to Doug Aburano.
 11/23/15: Approved by OMB. First Notice should publish soon.

Volatile Organic Liquid Storage Tanks (15-427)

Staff: Harmon

Status: 8/18/16: Draft should be ready for Steve Rosenthal review in a few weeks.
 7/21/16: Second Notice being drafted with help of Betsy Zlatos. Send copy of Second Notice to Steve Rosenthal after internal review.
 6/16/16: No change since 2/18/16.
 2/18/16: Second Notice still being drafted. The draft will be sent to EPA for review when ready.
 1/25/16: No comments; Second Notice being drafted. Copy to Steve Rosenthal after internal review.
 12/17/15: First Notice published 12/16/15.
 11/23/15: Waiting for OMB approval to proceed with First Notice.

Emission Reporting for Lawrenceburg Township, Dearborn County (16-162)

Staff: Walsh

Status: 8/18/16: Adopted 8/10/16. Final rule to be sent as soon as published (approximately 90 days).
 7/21/16: No change since 5/19/16.
 5/19/16: Adoption scheduled for 8/10/16.
 4/21/16: Section 8 Notice will publish on 4/27/16.
 3/17/16: No change.
 1/25/16: At OMB for review.
 12/17/15: Notice in review.
 11/23/15: Drafting Section 8 Notice for OMB submittal.

Cross State Air Pollution Rule (CSAPR) (16-209)

Staff: Aguilar

Status: 8/18/16: No changes.

7/21/16: Second Notice should be drafted by October or November.

6/16/16: Meeting with affected sources in mid-July.

5/19/16: First Notice to publish 6/1/16.

5/16/16: OMB approval to proceed.

2016 CFR Update (16-208)

Staff: Walsh

Status: 8/18/16: Adopted 8/10/16. SIP submittal to be sent after promulgation.

7/21/16: No change since 5/19/16.

5/19/16: Section 8 Notice to publish 5/25/16. Adoption scheduled for 8/10/16.

4/21/16: No change.

3/17/16: At OMB for review.

2/18/16: No change.

1/25/16: Draft notice in review.

12/17/15: No change.

11/23/15: Drafting Section 8 Notice for OMB submittal.

Short-Term Backup Units (16-309)

Staff: Harmon

Status: 8/18/16: Comment period ends 8/19/16. One supporting comment received.

7/21/16: First Notice published on 7/20/16.

6/16/16: First Notice send to OMB today.

5/19/16: Internal discussions. Michael Langman will be contact.

4/21/16: Work beginning on First Notice draft.

Commercial and Industrial Solid Waste Incineration (CISWI) (xx-xxx)

Staff: Harmon

Status: 8/18/16: Making revisions.

7/21/16: No change since 5/19/16.

5/19/16: Incorporated EPA comments. Waiting on publication of new EPA rule.

4/21/16: Section 8 Notice drafted. Waiting to see if EPA makes additional changes by end of April.

3/17/16: With program staff for review.

2/18/16: No change.

1/25/16: Drafting notice and holding internal meeting.

Outdoor Hydronic Heaters (16-332)

Staff: Walsh

Status: 8/18/16: First Notice published 8/17/16 for comment.

7/21/16: Submitted to OMB on 6/29/16.

6/16/16: No change.

5/19/16: First Notice being drafted.

4/21/16: Approved to start rule to address 3/16/15 NSPS and existing rule amendments.

NIPSCO Consent Decree Requirements (xx-xxx)

Staff: Reiss

Status: 8/18/16: No change.

7/21/16: NIPSCO wants to meet with EPA and IDEM about issues, including force majeure language.

6/16/16: Three more issues to finalize before notice can be reviewed and go to OMB.

5/19/16: No change.

4/21/16: Revised draft sent back to NIPSCO attorney.

3/17/16: Reviewing comments from source attorney.

2/18/16: NIPSCO attorney to provide comments by end of February.

1/25/16: Comments from NIPSCO due by end of January.

12/17/15: No change.

11/23/15: Preparing OMB submittal.

2015 Ozone Standard (xx-xxx)

Staff: Walsh

Status: 8/18/16: At OMB for approval.

7/21/16: Draft Section 8 Notice in review.

6/16/16: Drafting Section 8 Notice.

State Plan Submittals

Lead NESHAP Delegation

Submitted: 1/8/14

Staff: Bem

Status:

Non-Rule SIP Submittals

Pollutant	Activity		Status
CO	Nothing to report.		
Lead	Redesignation of Muncie-area, Delaware County, nonattainment area.		Final redesignation petition and maintenance plan submitted April 14, 2016.
Nitrogen Dioxide	Nothing to report.		
Ozone	Redesignations		
		Lake/Porter Counties	Final redesignation petition and maintenance plan submitted June 15, 2016. Based on partial preliminary ozone monitoring data for 2016, the three year design value (2014-2016) for multiple monitors in the Illinois/Wisconsin portion of the Chicago – Naperville, IL-IN-WI nonattainment area are above the 2008 standard. IDEM is in the initial stages of preparing an attainment demonstration and technical support document, including, 15% rate of progress plan, 3% contingency plan, and NOx RACT Analysis, for Lake and Porter counties.
		Lawrenceburg Township (Dearborn County)	Final redesignation petition and maintenance plan submitted February 23, 2016. Supplement to recharacterize 2014 emissions inventory to include actual EGU and non-point emissions of point source category submitted May 4, 2016. Draft rulemaking for revision to Emissions Reporting Rule, LSA Document #16-162, published in the Indiana Register on April 27, 2016. Public comment period ended May 27, 2016. No public comments received. The final rule was adopted at the August 10 Indiana Environmental Rules Board meeting and should be effective by December. Request to parallel process rule revisions to the Emissions Reporting Rule submitted June 1, 2016.
	2015 Standard Infrastructure SIP		Due to EPA on or before 10/1/2018.
	2015 Standard Designation Recommendations		Due to EPA on or before 10/1/2016.
Sulfur Dioxide	Round 1 Nonattainment Areas		Attainment demonstration submitted 10/2/2015; completeness letter received from EPA on 2/25/2016. Technical addendum for revisions to Indiana's State Implementation Plan for SO ₂ and attainment demonstration to incorporate changes to Rolls Royce within the Marion County nonattainment area was submitted May 2, 2016.
	Round 2 Designations (consent decree) Gibson, Rockport, Michigan City, Clifty Creek, and A.B. Brown generating stations		EPA designated Gibson, Jefferson (partial), LaPorte, Posey (partial), and Spencer (partial) counties as unclassifiable/attainment for the 2010 primary 1-hour SO ₂ standard as published in the <i>Federal Register (FR)</i> on July 12, 2016 (81 FR 45039).

	Redesignation of Clay and Washington Townships (Morgan County), nonattainment area.	Preliminary draft of the redesignation petition and maintenance plan submitted to EPA for review/comment.
	Rounds 3 and 4 Designations (Data Requirements Rule)	Indiana's modeling and monitoring protocol submitted June 30, 2016.
Particulates	Redesignations	
	Lawrenceburg Township (part of Cincinnati NA area)	Submitted 2/11/2016 ... a letter requesting EPA act on the RACM analysis provided in the attainment plan that shows that existing measures meet the RACM requirements. Revised draft redesignation petition and maintenance plan completed and is out for public comment. Deadline to request a hearing was 7/29/2016. A request for a public hearing was not received and the hearing was cancelled. Public comment period ended August 15, 2016. No public comments were received. Redesignation petition and maintenance plan will be sent to EPA for review/approval soon.
	Clark/Floyd Counties and Madison Township	EPA's proposed approval of the redesignation petition and maintenance plan published in the <i>Federal Register</i> (FR) on June 23, 2016 (81 FR 40834). Public comment period ended July 25, 2016. No public comments were received. Final approval of the redesignation petition and maintenance plan should be published in the <i>Federal Register</i> soon.
	2012 Standard Infrastructure SIP	Final infrastructure SIP submitted on June 10, 2016. To further show that Indiana has fulfilled the requirements of Prong 1 and Prong 2 of the interstate transport provisions, an analysis is being performed on interstate transport of Indiana's emissions relative to the 2012 PM _{2.5} NAAQS and U.S. EPA's March 2016 "Good Neighbor" Provision projected modeling of 2017 and 2025. This transport analysis is being coordinated via the Lake Michigan Air Director's Consortium (LADCO), with support from each of the member states. It will be submitted separately as formal supporting documentation for 110(a)(2)(D)(i)(I) of this submittal. IDEM anticipates submission of the analysis to U.S. EPA in late-2016.
Regional Haze	Five-Year Progress Report	Final five-year progress report submitted March 30, 2016.

cc: Lauren Aguilar, Keith Baugues, Susan Bem, Jean Boling, Brian Callahan, Carol Comer, Scott Deloney, Mark Derf, Jack Harmon, Nancy King, Christine Pedersen, Bruno Pigott, Jessica Reiss, Shawn Seals, Don Snemis, Valerie Tachtiris, Doug Wagner, Keelyn Walsh, Betsy Zlatos, Doug Aburano (EPA Region V), Pam Blakley (EPA Region V), Louise Gross (EPA Region V), Chris Panos (EPA Region V), Steve Rosenthal (EPA Region V)